

### **REMARKS/ARGUMENTS**

Applicants have amended Claims 1 and 15 to incorporate the subject matter of cancelled Claim 13. Applicants also appreciate the fact that the Examiner has indicated that 6-11, 16, and 21 would be allowable if rewritten in independent form.

Applicants further appreciate the telephone interview with Examiner Schilling on September 21, 2005 in which it was agreed that original Claim 13 was inadvertently omitted from the list of "objected to" claims. Thus, we agreed that the subject matter of Claim 13 was not rejected and is not described or suggested in the cited art because the particular binder polymers of original Claim 13 are not suggested for use in a donor layer, and some of the listed polymer binders (e.g. polyvinyl pyrrolidone) are explicitly discouraged for use in Purbrick et al. (Col. 11, lines 21-24).

#### **Rejection Under 35 U.S.C. §102(e)**

Claims 1-5, 12, 14, 15, and 17-20 have been rejected as anticipated by the teaching in U.S. Patent 6,762,006 (Purbrick et al.). This rejection is respectfully traversed. To expedite prosecution, Claims 1 and 15 have been amended to include the subject matter of Claim 13 that was not rejected. Thus, it is believed that Purbrick et al. does not anticipate the presently claimed invention and the Section 102(e) rejection should be withdrawn.

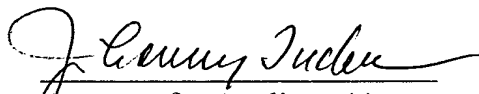
#### **Rejection Under 35 U.S.C. §103**

Claims 1-5, 12, 14, 15, and 17-20 have also been rejected as unpatentable in view of the teaching in Purbrick et al. This rejection is also respectfully traversed. To expedite prosecution, Claims 1 and 15 have been amended to include the subject matter of Claim 13 that was not rejected. It is believed that Purbrick et al. does not render the presently claimed invention unpatentable. As noted above, Purbrick et al. fails to teach or suggest the use of certain binder polymers in the donor layer. There does not appear to be a binder polymer of any kind in the donor layer of Purbrick et al., which publication specifically teaches away from some of those used in the presently claimed invention. Thus, the Section 103 rejection should be withdrawn.

Three references are cited in paragraph 3 (page 3) of the Office Action as being of interest in describing cyanoacrylate polymer particles. Applicants do not consider these references to be relevant to any part of the presently claimed invention and as such, they are not being considered any further in this response. However, it is understood that since they are cited on PTO-892, they will be listed on the face of Applicants' granted patent as having been properly considered.

In view of the foregoing amendments and remarks, reconsideration of this patent application is respectfully requested. A prompt and favorable action by the examiner is earnestly solicited.

Respectfully submitted,

  
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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.